

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

VICTOR CRUZ,

Plaintiff,

V.

BNSF RAILWAY COMPANY,

Defendant.

No. CV-06-5066-FVS

ORDER OF DISMISSAL

BNSF RAILWAY COMPANY,

Defendant.

The parties having stipulated to the dismissal of this action with prejudice and without attorneys' fees or costs to any party,

**IT IS HEREBY ORDERED:**

1. Pursuant to the parties' Stipulation of Dismissal, **Ct. Rec.**  
**39**, and Federal Rule of Civil Procedure 41(a), this action is  
**DISMISSED WITH PREJUDICE** as to the Defendant and without attorneys'  
fees or costs to any party.

2. The Defendant's Motion For Extension of Time to Respond to Discovery Requests, Ct. Rec. 24, is DENIED AS MOOT.

3. The Defendant's Motion to Admit Pro Hac Vice, Ct. Rec. 29, is  
**DENIED AS MOOT.**

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order, furnish copies to counsel, and **CLOSE THE FILE.**

**DATED** this 20th day of February, 2008.

s/ Fred Van Sickle

Fred Van Sickel

United States District Judge